

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16845 of 2024

Arising Out of PS. Case No.-84 Year-2023 Thana- AAJAM NAGAR District- Katihar

MD. TAUSHIF SON OF MD. ANISUR @ ANIS RESIDENT OF VILLAGE
- NAURANGA, P.S. - AZAMNAGAR, DISTRICT - KATI HAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Musowir, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Azamnagar P.S. Case no.84 of 2023 registered under sections 420, 354B, 323, 341, 427 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that about three months ago her husband started telling her that she should marry someone else. It is thereafter stated that she entered into a relationship with the petitioner herein. The petitioner told her that she would not be acceptable to his parents and thus as suggested by the petitioner both the petitioner and the informant went to Mumbai. On 11.2.2023, she as also the brother-in-law of the petitioner returned to Barsoi. She was staying with the petitioner as his wife, however, as



some persons started to make demand of nikahnama, she got in touch with her husband who assured to give her divorce once she returned. The informant further states that she returned with the petitioner, however, the petitioner, on the pretext of getting a ticket, disappeared. Subsequently, on the informant going to the house of the petitioner, it is stated that she was assaulted by the accused persons including the father and brother-in-law of the petitioner. They did not permit her to enter the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Accepting the allegations levelled in the F.I.R. for the sake of argument, it is submitted that the relationship between the petitioner and the informant, if any, was consensual in nature. The petitioner is in custody since 12.10.2023, has no criminal antecedent and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. so far as this petitioner is concerned, his being in custody for 5 months since 12.10.2023, not having any criminal antecedent and chargesheet having been submitted in the case, the Court directs



the petitioner to be enlarged on bail in connection with Azamnagar P.S. Case no.84 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, District Katihar.

(Partha Sarthy, J)

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